

Atty's Docket: 101195-63

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefore. Please charge the required fee to Deposit Account No. 14-1263.

ADDITIONAL FEES

Please charge any further insufficiency of fees, or credit any excess to Deposit Account No. 14-1263.

REMARKS

Claims 1-15 and 18-27 are pending in the application. Claims 1-15 and 18-21 are deemed allowable over the prior art.

Claims 22-27 have been withdrawn because Examiner states that the original claims did not encompass an immunoabsorber having antibodies to only C3a or C5a. Further, support for such claims in the original description are believed absent.

Claims 4-5, and 1-15 and 18-19 have been amended. New claim 28 has been added. No amendment is believed to add new matter.

Objections and Rejections Under Section 112

In response to Examiner's comments, claims 6 and 20-21 have been canceled.

Claims 4-5, 7-15 and 18-19 have been amended and are believed to address the issues raised by Examiner.

These amendments were largely directed to correct lack of antecedent bases, or to add clarifying language.

Withdrawal of the rejections is respectfully requested.

Atty's Docket: 101195-63

Withdrawal of Claims 22-27

Applicants respectfully disagree that claims 22-27 do not have support in the original description. It is not clear why the Examiner believes there is no support for claim 22. It occurred to the undersigned that perhaps Examiner may be interpreting the claim as meaning that the immunoabsorber comprises a single species of antibody that recognizes both C3a and C5a.

Should this be the case, claim 22 was amended to recite "C3a or C5a." Support for this can clearly be found in the original description and claims.

Examiner's attention is directed to the following:

- Both original claim 1 and instant claim 1 recite that the carrier has antibodies to C3a and/or C5a. Thus, from the application's filing date the claims have encompassed antibodies toward only one of C3a or C5a.
- Page 4, 2nd paragraph indicates that either polyclonal or monoclonal antibodies directed against C3a and/or C5a may be immobilized on the carrier.
- Page 6, 1st paragraph also reiterates that the carrier may be coupled to C3a and/or C5a.
- Page 1, Table 2 shows different 7 different carriers having conjugated an avian IgY directed to individual interleukins or complement factors, including C3a and C5a. Therefore, embodiments wherein the carrier is coupled with only C3a or C5a were actually reduced to practice.

In sum, it is believed that ample support exists for amended claim 22.

Atty's Docket: 101195-63

CONCLUSION


It is respectfully suggested that claims 1-5, 7-15 and 18-28 are in condition for allowance. Applicants believe in good faith that all of Examiner's concerns have been adequately addressed.

Withdrawal of all rejections and objections is respectfully requested.

However, if any minor issues still exist that preclude allowance of all claims, Examiner should feel free to contact the undersigned if he believes that these issues may be easily resolved in a telephone conversation.

Respectfully Submitted,

Norris, McLaughlin & Marcus  
220 East 42 nd Street  
Previously presented York, NY  
10017  
Telephone (212) 808-0700  
Facsimile (212) 808-0844

  
Theodore Gottlieb, PhD  
Reg. No. 42, 597

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